IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.
CRIMINAL APPLICATION No.2575 of 2007

Ramesh Pawar ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Mr R. D. Suryawanshi, Advocate for the Applicant.

Mr S. S. Pednekar, APP for the State.

CORAM: V. C. DAGA,J.
DATED: 24. 08. 2007.

P.C.:-

1. Heard learned counsel for the applicant and the learned APP for the State.

2. Perused application and the material available on record.

3. The applicant, arrested in C.R.No.I-29 of 2007 registered with Kinhavali Police Station, Taluka Shahapur, District Thane for the offence punishable under Sections 363, 366-A, 504, 506 read with Section 34 of the I.P.C.,is seeking bail under Section 439 of the Cr.P.C.

4. According to the prosecution, the date of birth of victim Ms Nikita Balkrashna Lad is

26.6.1989. The mother of prosecutrix Nikita had filed a complaint alleging that on 21.4.2005 her daughter was not present in the house. Therefore, she made a search and when search was turned out futile, the mother of the prosecutrix filed a missing report of her daughter which came to be registered as C.R. No. I-29/2007 under Sections 363, 504, 506, read with Section 34 of the I.P.C. Subsequently, Section 366-A of the I.P.C. came to be added.

5. At the time of hearing of this application, Ms Nikita is present in the Court.

6. It appears that on the date when the report was lodged, she was 17 years and 10 months old. She appears to be with the applicant. Presently,she is residing with the applicant with no complaint.

7. Under the above circumstances, I am inclined to grant bail to the applicant in the sum of Rs. 25,000/- with one or two sureties in the like amount on following terms and conditions:-

a] that the applicant shall not pressurise prosecution witnesses and he shall co-operate with the Investigating Agency.

b] that the applicant shall report Police Station,Kinhavali once in a week i.e. on Sunday between 3.00 to 5.00 p.m.till filing of the charge sheet.

8. Application stands disposed of.

(V.C. DAGA,J.)